

Name: _____

Juror # _____

JUROR QUESTIONNAIRE

Instructions

The purpose of this questionnaire is to provide information to the attorneys in this case (for both the plaintiff and defendants) and the Court to help select a fair and impartial jury. You are expected to give true and complete answers to every question. However, keep in mind that there are no right or wrong answers to any of the questions.

Where indicated, please check the space for "Yes" or "No" and, as requested, furnish answers, explanations, and/or details in the spaces provided. Please print your answers in blue or black ink. Please do not leave any questions unanswered. If you do not understand a particular question or do not know the answer, please write either "I do not understand," or "I do not know" in the space provided for the answer.

Under no circumstances should you do any research about the case to try to answer these questions. Do not do any research, look up on the internet or news, or discuss these questions with anyone. Simply answer each question honestly, to the best of your ability. If there is not enough space for you to complete the answer to a question, please continue your answer in the margin next to the question. Do not write on the back of any page of the questionnaire. If you feel that a question does not apply to you, please write "N/A" in the space provided for the answer.

When you return to court, the Judge may ask specific questions about some of the information you provided in the questionnaire. When these follow-up questions are asked, if there are any matters that you do not wish to discuss in open court, please alert the Judge so that arrangements can be made for you to discuss these matters privately.

All of your responses will remain completely confidential. Do not discuss the questions or answers with anyone, including your fellow jurors. Juries are important to our American system of justice. Thank you in advance for your careful and honest response to the questionnaire.

Description of Case

On November 15, 1989, A.C., a fifteen year old sophomore at Peekskill High School was attacked, raped, and murdered by Steven Cunningham. The case was investigated by the Peekskill Police Department. Jeffrey Deskovic, a 16 year-old classmate of A.C., became the primary suspect. On January 25, at the request of the Peekskill Police Department, Putnam County Investigator Daniel Stephens conducted a polygraph exam and interrogation of Mr. Deskovic. Although innocent, Mr. Deskovic falsely confessed to the crime. A jury subsequently convicted Mr. Deskovic of A.C.'s rape and murder, and Mr. Deskovic was sentenced to 15 years to life.

In 2006, additional DNA testing matched the DNA from A.C.'s rape kit to Steven Cunningham. Soon after, Cunningham confessed to A.C.'s rape and murder, and confirmed that he had never had any contact with Mr. Deskovic. As a result, Mr. Deskovic's conviction was vacated on the ground of actual innocence, and he was released after being wrongfully imprisoned for nearly 16 years.

This is a civil rights action brought by Jeffrey Deskovic, the Plaintiff in this case. The Defendants in this case are Investigator Stephens and Putnam County. Mr. Deskovic claims that his wrongful imprisonment was the direct result of Defendants' misconduct. Mr. Deskovic contends that Investigator Stephens coerced him into falsely confessing and also fabricated evidence against Mr. Deskovic. Defendants Stephens and Putnam County deny that they engaged in any unlawful conduct. Mr. Deskovic is seeking damages for the pain and suffering that he endured while he was in prison.

Questionnaire

Name: _____ Juror # _____

1. _____ City/town and county of
current residence: _____

Length of time that you lived at the residence: _____

If less than ten (10) years, please give state city/town and county of last residence:

2. _____ What is your highest level
of education, and major field of study (if applicable):

3. _____ What is your current
occupation? (if retired, please give your most recent occupation.)

Other occupation(s) in the last ten years: _____

Have you ever studied or practiced law or worked in a law office? If so, please explain:

If married, spouse's
occupation: _____

Spouse's other occupation(s) in the last ten years:

4. Do you have any children? ____ Yes ____ No

Age Occupation or Year in School

5. What are your main sources for news (including any newspapers, magazines, websites, and/or radio or television programs)?

6. For what purposes do you primarily use the internet and social media (including websites and applications such as Facebook and Twitter)?

a. Approximately how much time per day you use the internet and social media for business purposes? How much time for social purposes?

7. Have you, or any member of your immediate family, served in the armed forces?
____ Yes ____ No. If yes, please give details:

8. Have you heard or read anything about the criminal trials, and/or release of Plaintiff Jeffrey Deskovic, or about this civil action? ____ Yes ____ No.

If yes, have you formed any opinions about the case and/or parties involved? Please explain:

9. Do you know or have any connection (personal, business, or social) the parties to this case, any of their attorneys] or any law firm that their attorneys are associated with? If yes, please circle:

Plaintiff Jeffrey Deskovic
Defendant County of Putnam
Defendant Daniel Stephens
Barry Scheck
Peter Neufeld

Caitlin Grace Scheir
James Randazzo
John Walsh II
Stephen Wellinghorst
Paul E. Kiel

Nick Brustin
Anna Benvenutti Hoffmann
Aaron Scherzer
Farhang Heydari

Cochran, Neufeld & Scheck, LLP
Neufeld, Scheck & Brustin, LLP
Harwood, Lloyd, LLC
Gains, Novick, Ponzini,
Cossu & Venditti, LLP
Hodges, Walsh, Messemer & Moroknek, LLP

If yes, please explain how you know the individual(s) or law firm(s) indicated, and any opinion you have:

10. Are you or a close member of your family personally acquainted with any of the following individuals? Yes No. If yes, please circle:

[INSERT list of parties and witnesses after entry of final pretrial order]

11. Have you, or has a close friend or relative, ever been employed by the County of Putnam or the Putnam County Sheriff's Department? Yes No. If yes, please give details:

12. Have you, or has a close friend or relative, either as an individual, or in the course of business, ever been a party to any legal action or dispute with the County of Putnam, or any of the officers, departments, agencies, or employees of the County of Putnam, including the Putnam County Sheriff's Department? Yes No. If yes, please explain the circumstances:

13. Have you ever worked or had close contact with someone who worked, in law enforcement (including state or local police and sheriff's departments, the FBI, the SEC, any prosecutor's office, the Department of Corrections, any regulatory agency, etc.)? Yes No. If yes, please give details:

14. Have you had any experience (good or bad) with any law enforcement agency that might make it difficult for you to serve in this case? Yes No. If yes, please explain:

15. Would you tend to give more or less weight to the testimony of a witness who is a law enforcement officer as opposed to any other witness?

More weight Less weight Equal. Please explain:

16. Would you tend to believe it is more likely or less likely that a law enforcement officer, as opposed to any other person, would ever falsify evidence?

More likely Less likely Equal. Please explain:

17. Have you ever worked, or had close contact with someone who worked for a state or local government, including the courts, schools, county or city administrator, etc.? Yes No.
If yes, please explain:

18. Have you ever served as a grand juror or as a juror at trial? Yes No.

a. If yes, how many times: _____

b. Were you the foreperson of the jury? Yes No

c. Was it a civil or criminal case? (Circle one) Civil Criminal

Please briefly describe what the case was about:

d. If your service was for a trial, did the jury reach a verdict, did the jury hang, or was the case

settled?

19. If you have served on a criminal jury, you understand that in a criminal case, the prosecution must prove the defendant's guilt "beyond a reasonable doubt." But in a civil case, like this one, the Plaintiff must only show that it is more likely than not that defendants caused his injury. Do you feel that you might have difficulty following the law as it applies to this case — a civil trial, not a criminal trial? Yes No. If yes, please explain:

20. Have you ever been involved in a civil or criminal case, as either a plaintiff, defendant, complainant or witness? Yes No. If yes, please explain the circumstances and the result of the proceedings:

21. Have you, or has a close friend or relative, ever sued or been sued, or been a witness in a suit for allegedly violating someone else's civil rights? Yes No. If yes, please explain the circumstances?

22. Have you, a family member, or a close friend ever been the victim of a crime (whether or not reported to the police)? Yes No. If yes, please explain the circumstances:

23. Have you, a member of your family or close friend, ever been accused or convicted of a crime? Yes No. If yes, please explain the circumstances:

24. Have you, or has a close friend or relative, ever been involved, been subpoenaed, or appeared as a witness in any federal, state or local court, or in any investigation by a federal or state grand jury,

a Congressional or state legislative committee, a licensing authority, a commission, or a governmental agency, or been questioned in any matter by a federal, state, or local law enforcement agency?

Yes No. If yes, what were the circumstances?

25. What are your thoughts and feelings, if any, about lawsuits against police or other law enforcement personnel?

26. What are your thoughts and feelings, if any, about tort reform/setting limits on the amount of monetary damages that a plaintiff is entitled to receive in a lawsuit?

27. If the Plaintiff Jeffrey Deskovic proves that Defendants caused his injuries, do you have any personal, political, and/or philosophical beliefs that might make it difficult for you to award large money damages against Defendant Putnam County? Yes No. If yes, please explain:

28. If the Plaintiff Jeffrey Deskovic is unable to prove that Defendants committed wrongful acts that caused his injuries, do you have any personal, political, and/or philosophical beliefs that might make it difficult for you not to award large money damages against Defendant Putnam County or Defendant Daniel Stephens? Yes No. If yes, please explain:

29. Is there anything about the nature of the allegations or the parties involved in this case that will make it difficult for you to consider the evidence, the arguments of the attorneys, and

the court's instructions on the law with an open mind? ____ Yes ____ No. If yes, please explain:

30. Do you have any problem with the concept that a person who brings such a lawsuit is entitled to damages only if that person proves his or her case? ____ Yes ____ No. If yes, please explain:

31. Do you believe that under certain circumstances an innocent individual can make a false statement or confession about a heinous crime? ____ Yes ____ No. If no, please explain:

32. Do you have difficulty believing that an innocent person would falsely confess to a heinous crime without being physically beaten or tortured? ____ Yes ____ No. If yes, please explain:

33. Do you have any doubt that you will be able to accept and apply the rules of law as the Judge explains it, even if you disagree with it? ____ Yes ____ No. If yes, please explain:

34. The Judge has tried to direct your attention through his questioning to possible reasons why you might not be able to sit as a fair and impartial juror. But only you know whether you will be able to serve conscientiously, fairly, and impartially in this case, and to render a true and just verdict, according to the law and the evidence. Is there any reason why you think you cannot be fair and impartial in this case? ____ Yes ____ No. If yes, please explain:
